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594; *Jordan v. Sullivan*, 181 Mass. 348, 63 N. E. 909. Contra, *McConnell v. Lemley*, 48 La. Ann. 1433, 20 So. 887, construing a local statute. But where the lessor retains control of the premises or parts thereof used by the several tenants, he is liable to tenants and others impliedly invited for injuries resulting from dangerous conditions in such places of which had or reasonably ought to have had knowledge. *Harrison v. Jelly*, 175 Mass. 292, 56 N. E. 283. *Siggins v. McGill*, 72 N. J. Law, 263, 62 Atl. 411, 111 Am. St. Rep. 666. There are two cases which are generally regarded as exceptions. Where, as in the principal case, the entire premises are leased for a public or semi-public purpose, as a wharf, public hall, hotel, or amusement place, the lessor is liable for injuries to strangers caused by defects existing at the time of the demise of which he knew or ought to have known. *Swords v. Edgar*, 59 N. Y. 28, 17 Am. Rep. 295; *Burner v. Higan & Skinner Co.*, 127 Ia. 580, 103 N. W. 802; *State v. Boyce*, 73 Md. 469, 21 Atl. 322, excusing lessor for lack of knowledge. Again, where the cause of the injury was a nuisance which was on the property when leased and would be likely to cause injury in the course of ordinary use by the tenant as contemplated by the parties, the lessor is liable. *House v. Metcalf*, 27 Conn. 632; *Kalis v. Shattuck*, 69 Cal. 593, 58 Am. Rep. 568; *Isham v. Broderick*, 89 Minn. 397, 95 N. W. 224. Though in England the landlord is exempted from liability by a covenant by the lessee to repair, as in *Gwinnell v. Eamer*, 32 L. T. R. (N. S.) 835, L. R. 10 C. P. 658, he is not so relieved in this country. *Nugent v. B. C. & M. R. Co.*, 80 Me. 62, 12 Atl. 797, 6 Am. St. Rep. 151; *Bailey v. Dunaway*, 8 Ga. App. 713, 70 S. E. 141; *Swords v. Edgar*, *supra*. The Tennessee Court repudiates the distinction between public and private uses, and holds the lessor liable in both cases, if he ought to have known of the dangerous condition. *Hines v. Willcox*, 96 Tenn. 148, 33 S. W. 914, 34 L. R. A. 824, 54 Am. St. Rep. 823, affirmed in 100 Tenn. 524. See also *Bailey v. Kelly*, 86 Kan. 911, 122 Pac. 1027, 39 L. R. A. (N. S.) 378, and *dictum* in *Edwards v. N. Y. C. & H. R. Co.*, 98 N. Y. 245, 50 Am. Rep. 659. These cases stand alone, but courts cite them indiscriminately with other cases.

LEGITIMATION—CAN FATHER INHERIT FROM A LEGITIMATED CHILD?—Under a statute providing that; "The father of an illegitimate child, by publicly acknowledging it as his own, and receiving it as such, with the consent of his wife if he is married, into his family, and otherwise treating it as if it were a legitimate child, thereby adopts it as such, and such child is thereupon deemed for all purposes legitimate from the time of its birth * * *." Defendant legitimated a child and claimed the right to inherit from it. *Held*, that the mother inherited all of the child's property, and that where the rights of the mother are involved the child is still illegitimate and a bastard. *Templeman v. Bruner*, (Okla. 1914) 138 Pac. 152.

At common law a bastard's mother did not inherit his property, *Cooley v. Dewey*, 4 Pick. 93. And the court in the principal case declared that the mother's right to the child's property was derived from a statute declaring:

"If an illegitimate child, who has not been acknowledged or adopted by his father, dies intestate, without lawful issue, his estate goes to his mother, or, in case of her decease, to her heirs at law." It would seem to be a strained construction of this statute to allow the mother to inherit where the child has been legitimated. In *Allison v. Bryan*, 21 Okla. 557, 18 L. R. A. N. S. 931, a father who had legitimated his child was held entitled to its custody as against its mother, under a statute providing that "the father of a legitimate unmarried minor child is entitled to its custody, services, and earnings." This invaded a well recognized right of the mother, since in general the right of the mother of a natural child to its custody is superior to that of its reputed father, *Hudson v. Mills*, 8 N. H. 417. But in *Allison v. Bryan*, 26 Okla. 520, (a case between the same parties) the father was denied the right to adopt the child with the consent of his wife, against the wishes of its mother. In conflict with the decision in the principal case is *Pratt v. Pratt*, 5 Mo. App. 542, which declares that a legitimated child may be inherited from, in an ascending, descending or collateral direction. The case of *McCormick v. Cantrell*, 15 Tenn. 614, which held that a statute declaring that an illegitimate child shall in all respects, both in law and equity, be upon an equal footing with the father's other children, does not enable the father to inherit from him, lends support to the decision in the principal case. By perhaps the weight of authority an adoptive father cannot inherit from an adopted child under statutes providing that "he shall be deemed and taken to all legal intents and purposes, the child of the persons adopting him." *Hole v. Robbins*, 53 Wis. 514; *Upson v. Noble*, 35 Ohio St. 655. But as legitimation creates a status it would seem that all the incidents of that status should be recognized.

MASTER AND SERVANT—FEDERAL REGULATION—HOURS OF SERVICE.—Two employees of a railway carrier were kept on duty for more than sixteen consecutive hours by reason of the same delay of a train, on which they were to perform labor. Held, that a separate penalty was incurred for each employee kept on duty contrary to the Hours of Service Act of March 4, 1907, (34 Stat. at L. 1415, Chap. 2939), such statute making the carrier which permits "any employee" to remain on duty in violation of its terms liable to a penalty "for each and every violation." *Missouri, Kansas, & Texas Railway Co. of Texas and American Surety Co. of New York, Petitioners, v. United States*, 34 Sup. Ct. 26.

The petitioner's argument was to the effect that "when one act has several consequences that the law seeks to prevent, the liability attaches to the act, and is but one;" that the "delay of the train was such an act, and the principle * * * applies." In answer the court observed, "The statute was not violated by the delay. That may have made keeping the men overtime more likely, but was in itself not wrongful conduct quoad hoc. The wrongful act was keeping an employee at work overtime, and that act was distinct as to each employee so kept." Singularly the precise question involved here has been of very infrequent occurrence, and in determining the solution it would